

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

TIMOTHY COLLINS,

Plaintiff

v.

C-1-12-152

PATRICIA M. CLANCY, *et al.*,

Defendants

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 99) to which neither party has objected.

Upon a *de novo* review of the record, the Court finds that the Judge has accurately set forth the applicable law and has properly applied it to the particular facts of this case. Accordingly, in the absence of any objection by plaintiff, this Court accepts the Report as uncontroverted.

The Report and Recommendation of the United States Magistrate Judge (doc. no. 99) is hereby ADOPTED AND INCORPORATED HEREIN BY REFERENCE. The Motion to Dismiss both Hamilton County Clerk of Court

Patricia Clancy, in both her official and individual capacities, and Hamilton County Clerk of Court Tracy Winkler, in her official capacity, (doc. no. 83) is GRANTED. All claims against those defendants are DISMISSED WITHOUT PREJUDICE. Plaintiff's claims against the remaining defendants shall proceed at this time.

This case is RECOMMITTED to the United States Magistrate for further proceedings according to law.

IT IS SO ORDERED.

s/Herman J. Weber
Herman J. Weber, Senior Judge
United States District Court